



**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

§

V.

§

CASE NO. 1:06-CR-65(2)

§

**OVERSEAS SHIPHOLDING
GROUP, INC.**

§

§

§

**MEMORANDUM ORDER ADOPTING
RECOMMENDATION ON MOTION TO SUPPRESS**

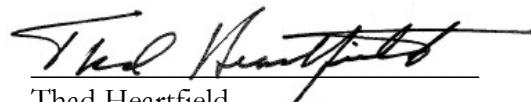
Pending before the Court is *Defendant Overseas Shipholding Group, Inc.'s Motion to Suppress Evidence Seized and Derived From September 15, 2005 Pretext Search* [Clerk's doc. #62]. The Court referred the motion to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for hearing and submission of a recommended disposition pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules for the United States District Court for the Eastern District of Texas.

Having conducted the proceedings in the form and manner prescribed by the Federal Rules of Criminal Procedure, the Magistrate Judge issued his *Report and Recommendation on Defendant OSG's Motion to Suppress* [Clerk's doc. #97]. Judge Giblin recommended that the Court deny the Defendant's *Motion to Suppress*.

The parties have not filed objections to Judge Giblin's report and recommendation in accordance with 28 U.S.C. § 636(b)(1). After review, the Court concludes that the *Report and Recommendation* [Clerk's doc. #97] should be accepted.

Accordingly, the Magistrate Judge's *Report and Recommendation on Defendant OSG's Motion to Suppress* [Clerk's doc. #97] is **ADOPTED** by the Court. The factual findings and legal conclusions of the magistrate are therefore fully incorporated by the undersigned in support of this order. The Court **ORDERS** that *Defendant Overseas Shipholding Group, Inc.'s Motion to Suppress Evidence Seized and Derived From September 15, 2005 Pretext Search* [Clerk's doc. #62] is **DENIED**.

SIGNED this the 19 day of **October, 2006**.



Thad Heartfield
United States District Judge